

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MILANA DRAVNEL,

Plaintiff,

- against -

OSCAR DE LA HOYA, and JOHN and/or JANE
DOES 1 & 2,

Defendants.
-----X

Case No.: 07-cv-10406

Hon. Laura T. Swain

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed: (i) declaration of Judd Burstein, dated November 26, 2007, and the exhibits annexed thereto; and (ii) the accompanying memorandum of law, dated November 26, 2007, Defendant Oscar De La Hoya will move this Court, before the Honorable Laura T. Swain, U.S.D.J., in the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York, 10007, on such day and time when counsel may be heard, for an Order (i) compelling Plaintiff Milana Dravnel to arbitrate the Complaint's First, Second, Third and Fifth Claims for Relief, and (ii) staying the litigation of the Complaint's Fourth Claim for Relief pending completion of the arbitration, or (iii) in the alternative, dismissing the Complaint pursuant to Fed. R. Civ. P. 12(b)(6), with (iv) such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Hon. Laura T. Swain's Individual Practices Rule 2(B), the undersigned hereby certifies that they have made their best efforts, via both letter and telephone, to resolve the matters discussed herein informally with Plaintiff's counsel.

Dated: New York, New York
November 26, 2007

Yours, etc.,
JUDD BURSTEIN, P.C.

By: _____
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- AND -

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